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December 12, 2003

**SUMMARY OF
EX PARTE PRESENTATION**

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWA325
Washington, DC 20554

Re: Ex Parte Presentation CC Docket No. 02-361

Dear Ms. Dortch:

On December 11, 2003, Tom Soroka and the undersigned, United States Telecom Association (USTA), and Glenn Rabin, ALLTEL Corporation, met with Christopher Libertelli and Trey Hanbury, Legal Advisors to Chairman Michael K. Powell. The purpose of the meeting was to discuss AT&T Corporation's (AT&T) Petition for Declaratory Ruling that AT&T's Phone-to-Phone IP Telephony Services are Exempt from Access Charges (Petition).¹

Consistent with its prior filings in this proceeding, USTA articulated that the service described in AT&T's Petition is telecommunications service subject to the payment of access charges under the Federal Communications Commission's (FCC) rules. Thus, access charges must be paid when the call both originates and terminates on the local exchange carriers' circuit switched network. Moreover, USTA expressed the need for the FCC to act quickly to remove the current uncertainty within the industry and affirmatively state that the services that AT&T provides in its Petition are telecommunications services and access charges apply.

In accordance with Section 1.1206(b)(2) of the Federal Communications Commission's (FCC) rules, this letter is being filed electronically with your office. Please feel free to contact me at (202) 326-7271 should you have any questions.

Sincerely,

Michael T. McMenamin
Associate Counsel

cc: Christopher Libertelli
Trey Hanbury

¹ *In the Matter of AT&T Petition for Declaratory Ruling that AT&T's Phone-to-Phone IP Telephony Services are Exempt from Access Charges*, WC Docket 02-361, Petition of AT&T (filed Oct. 18, 2002) (Petition).

